

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION  
No. 4:15-CV-122-D

MORRIS M. HARRIS,

Plaintiff,

v.

ARMY REVIEW BOARD AGENCY,  
et al.,

Defendants.

**ORDER**

The court has reviewed the record. Plaintiff's motion to consolidate [D.E. 10] is DENIED. Defendants' motion to disallow discovery [D.E. 14] is GRANTED. Plaintiff's motion to compel [D.E. 15] is DENIED. Finally, defendants' motion to dismiss for lack of subject-matter jurisdiction [D.E. 4] is GRANTED. As properly explained in defendants' memorandum, plaintiff has failed to comply with the Federal Tort Claims Act. See, e.g., United States v. Kubrick, 444 U.S. 111, 119 n.6 (1979); Kokotis v. U.S. Postal Serv., 223 F.3d 275, 278 (4th Cir. 2000); Ahmed v. United States, 30 F.3d 514, 517 (4th Cir. 1994); Plyler v. United States, 900 F.2d 41, 42 (4th Cir. 1990); Henderson v. United States, 785 F.2d 121, 123 (4th Cir. 1986); 28 U.S.C. § 2675(a).

Plaintiff's complaint is DISMISSED. If plaintiff wishes to challenge his separation from the Army under the Administrative Procedure Act, plaintiff has until November 9, 2015, to file a single, coherent amended complaint. If plaintiff files an amended complaint, defendants may respond in accordance with the Federal Rules of Civil Procedure. See Fed. R. Civ. P. 15(a)(3).

SO ORDERED. This 16 day of October 2015.

  
JAMES C. DEVER III  
Chief United States District Judge